

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

UNITED STATES OF AMERICA, )  
Plaintiff, )  
v. ) 2:11-CR-414-PMP (RJJ)  
JUAN CARDENAS, )  
Defendant. )

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PRELIMINARY ORDER OF FORFEITURE

This Court finds that on February 1, 2012, defendant JUAN CARDENAS pled guilty to Count One of a Two-Count Criminal Indictment charging him with Conspiracy to Possess a Controlled Substance with Intent to Distribute, in violation of Title 21, United States Code, Section 846 and 841(a)(1). Docket #22, #49.

This Court finds defendant JUAN CARDENAS agreed to the forfeiture of the property set forth in Forfeiture Allegations of the Criminal Indictment and in the Plea Memorandum. #22, #49.

This Court finds, pursuant to Fed. R. Crim. P. 32.2(b)(1) and (2), the United States of America has shown the requisite nexus between property set forth in the Forfeiture Allegations of the Criminal Indictment and the Plea Memorandum and the offense to which defendant JUAN CARDENAS pled guilty.

The following assets are subject to forfeiture pursuant to Title 21, United States Code, Section 853(a)(1) and 853(a)(2); Title 18, United States Code, Section 924(d)(1), (2)(C) and (3)(B) and Title

1 28, United States Code, Section 2461(c); and Title, 21, United States Code, Section 881(a)(11) and  
2 Title 28, United States Code, Section 2461(c).

- 3           a.       a Smith & Wesson model 659, .9mm semiautomatic pistol, serial  
4           number TBL8273;  
5           b.       any and all ammunition; and  
6           c.       \$640.00 in United States Currency (“property”).

7           This Court finds the United States of America is now entitled to, and should, reduce the  
8 aforementioned property to the possession of the United States of America.

9           NOW THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that the  
10 United States of America should seize the aforementioned property.

11           IT IS FURTHER ORDERED, ADJUDGED, AND DECREED all right, title, and interest of  
12 JUAN CARDENAS in the aforementioned property is forfeited and is vested in the United States of  
13 America and shall be safely held by the United States of America until further order of the Court.

14           IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the United States of America  
15 shall publish for at least thirty (30) consecutive days on the official internet government forfeiture  
16 website, www.forfeiture.gov, notice of this Order, which shall describe the forfeited property, state the  
17 time under the applicable statute when a petition contesting the forfeiture must be filed, and state the  
18 name and contact information for the government attorney to be served with the petition, pursuant to  
19 Fed. R. Crim. P. 32.2(b)(6) and Title 21, United States Code, Section 853(n)(2).

20           IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a petition, if any, must be filed  
21 with the Clerk of the Court, 333 Las Vegas Boulevard South, Las Vegas, Nevada 89101.

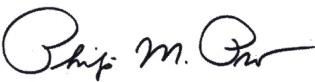
22           IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a copy of the petition, if any,  
23 shall be served upon the Asset Forfeiture Attorney of the United States Attorney’s Office at the  
24 following address at the time of filing:

25           MICHAEL A. HUMPHREYS  
26           Assistant United States Attorney  
                 DANIEL D. HOLLINGSWORTH

1 Assistant United States Attorney  
2 Nevada State Bar No. 1925  
3 Lloyd D. George United States Courthouse  
333 Las Vegas Boulevard South, Suite 5000  
Las Vegas, Nevada 89101

4 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the notice described herein  
5 need not be published in the event a Declaration of Forfeiture is issued by the appropriate agency  
6 following publication of notice of seizure and intent to administratively forfeit the above-described  
7 property.

8 DATED this 3rd day of February, 2012.

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11 UNITED STATES DISTRICT JUDGE

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1 PROOF OF SERVICE

2 I, Elizabeth Baechler-Warren, Forfeiture Support Associate Paralegal, certify that the  
3 following individuals were served with a copy of the foregoing Preliminary Order of Forfeiture on  
4 February 3, 2012, by the below identified method of service:

5 CM/ECF:

6 Frank H Cofer , III  
7 Frank H. Cofer III, LLC  
8 330 E Charleston Blvd Suite 204  
Las Vegas, NV 89104  
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Counsel for Defendant Juan Cardenas

10 Paul Riddle  
Federal Public Defender  
11 411 E. Bonneville Suite 250  
Las Vegas, NV 89101  
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Counsel for Defendant Juan Cardenas

14 Rachel M. Korenblat  
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21 Garrett T Ogata  
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22 3841 W Charleston Blvd  
Las Vegas, NV 89102  
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Counsel for Defendant Javier Pichardo-Lopez

1 Mace J Yampolsky  
2 Mace Yampolsky, LTD  
3 625 S. Sixth St.  
4 Las Vegas, NV 89101  
5 Email: Mace@macelaw.com  
6 Counsel for Defendant Javier Pichardo-Lopez  
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/s/ Elizabeth Baechler-Warren  
Elizabeth Baechler-Warren  
Forfeiture Support Associate Paralegal